

Practitioner's Docket No. BTI-18



PATENT

#10  
B. Webb  
10/23/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

USSN: 10/077,922

Date Filed: February 19, 2002

Name of Applicant: Jeffrey L. Helfer et al.

Title of Invention: "An Electromagnetic Interference Immune Tissue Invasive System"

Assistant Commissioner for Patents

PO Box 1450

Alexandria, VA 22313-1450

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ATTENTION: Supervisory Patent Examiner, Unit 2872

REQUEST FOR CORRECTION OF INVENTORSHIP OF APPLICATION  
(37 C.F.R. Section 1.48)

1. This is a REQUEST for correction of error in a [ ] misjoinder or [X] nonjoinder of inventors in the above issued patent. It is respectfully requested that the PTO make the correction.

2. Enclosed herewith is (37 C.F.R. Section 1.48 (a)):

A. A statement from each person who is being added as an inventor that the inventorship error occurred without any deceptive intention on his or her part.

B. A statement from the current named inventors who have not submitted a statement under A above agreeing to the change in inventorship.

3. Also enclosed is the written consent of the assignee.

A statement under 37 C.F.R. Section 3.73(b), establishing the right of the assignee to take action, is also enclosed.

4. The fee required (37 C.F.R. Section 1.17(i)) is paid as follows:

A check for \$ 130.00 is enclosed herewith; please debit any additional amount or credit any overpayment to Deposit Account No. 50-2737.

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130.00 OP

Date:

8/5/03

DEA

**Duane C. Basch**

**Registration No. 34,545**

**Basch & Nickerson LLP**

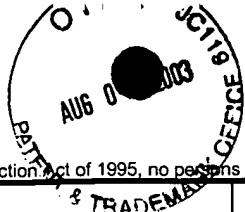
**1777 Penfield Road**

**Penfield, NY 14625**

**US**

**585-899-3970**

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/077,922	
	Filing Date	February 19, 2002	
	First Named Inventor	Jeffrey L. Helfer	
	Art Unit	2872	
	Examiner Name		
Total Number of Pages in This Submission	23	Attorney Docket Number	BTI-18

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ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to Group
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	See the attached additional enclosures
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	<b>Remarks</b> Enclosed are the various documents to request a Correction of Inventorship of Application for the above-referenced application. If any additional fees are required, please charge to Basch & Nickerson Deposit Account 50-2737.	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
<b>SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT</b>		
Firm or Individual name	Duane C. Basch; Basch & Nickerson LLP	
Signature		
Date	8/5/03	

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CERTIFICATE OF TRANSMISSION/MAILING		
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. Washington, DC 20231 on this date:		
Typed or printed name		
Signature		Date

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Practitioner's Docket No.: F501-18

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re application of: Jeffrey L. Helfer et al.

Application No.: 10/077,922

Filed: 2/19/2002

Confirmation No: 6499

Group No.: 2872

Examiner:

For: An Electromagnetic Interference Immune Tissue Invasive System

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

EXPRESS MAIL CERTIFICATE

"Express Mail" Label Number: EL 988690700US

Date of Deposit: 8/6/03

I hereby state that the following *attached* paper or fee:

Certificate of Express Mailing  
Transmittal Form

Request for Correction of Inventorship of Application

Declaration

Statement of Non-Deceptive Intent by Person Being Added by Petition to Change Inventorship in Application

Statement Agreeing to Change of Inventorship in Application By Correctly Named Inventors

Consent of Assignee to Change of Inventorship in Application

Statement under 37 CFR 3.73 (b)

Fee Transmittal

Return Postcard

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. section 1.10, on the date indicated above and is addressed to the Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

If any additional fees are due, please charge to Deposit Account 50-2737.

PERSON MAILING THE APPLICATION:

**Basch & Nickerson LLP**  
1777 Penfield Road  
Penfield, New York 14625  
(585) 899-3970

SIGNATURE OF MAILER:

Suzanne T. Stockman

Duane C. Basch, Esq. (Reg. No. 34,545)

Michael J. Nickerson (Reg. No. 33,265)

Alan R. Reinnagel

X Suzanne T. Stockman

Dollie C. Masters

Donna N. Parsons

Other:

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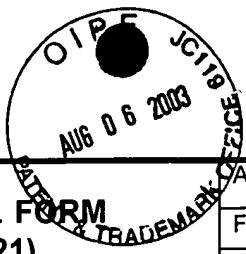
GROUP 3700



08-07-03

PATENT

2872\$



**TRANSMITTAL FORM  
(PTO/SB/21)**

**ADDITIONAL ENCLOSURES**

Application Number	10/077,922
Filing Date	February 19, 2002
First Named Inventor	Jeffrey L. Helfer
Art Unit	2872
Examiner Name	
Attorney Docket Number	BTI-18

Certificate of Express Mailing

Transmittal Form

Request for Correction of Inventorship

Declaration

Statement of Non-Deceptive Intent

Statement Agreeing to Change In Inventorship

Consent of Assignee to Change in Inventorship

Statement under 37 CFR 3.73 b

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# FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$130.00)

## Complete if Known

Application Number 10/077,922  
Filing Date February 19, 2002  
First Named Inventor Jeffrey L. Helfer  
Examiner Name  
Art Unit 2872  
Attorney Docket No. BTI-18

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## METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☐ Deposit Account:

Deposit Account Number  
Deposit Account Name

50-2737

Basch & Nickerson LLP

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) during the pendency of this application

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	750	2001	375	Utility filing fee	
1002	330	2002	165	Design filing fee	
1003	520	2003	260	Plant filing fee	
1004	750	2004	375	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					(\$)

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

		Extra Claims		Fee from below		Fee Paid
Total Claims	<input type="text"/>	-20** =	<input type="text"/>	X	<input type="text"/>	= <input type="text"/>
Independent Claims	<input type="text"/>	-3** =	<input type="text"/>	X	<input type="text"/>	= <input type="text"/>
Multiple Dependent					<input type="text"/>	= <input type="text"/>

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	18	2202	9	Claims in excess of 20	
1201	84	2201	42	Independent claims in excess of 3	
1203	280	2203	140	Multiple dependent claim, if not paid	
1204	84	2204	42	** Reissue independent claims over original patent	
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)					(\$)

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	410	2252	205	Extension for reply within second month	
1253	930	2253	465	Extension for reply within third month	
1254	1,450	2254	725	Extension for reply within fourth month	
1255	1,970	2255	985	Extension for reply within fifth month	
1401	320	2401	160	Notice of Appeal	
1402	320	2402	160	Filing brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,300	2453	650	Petition to revive - unintentional	
1501	1,300	2501	650	Utility issue fee (or reissue)	
1502	470	2502	235	Design issue fee	
1503	630	2503	315	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	750	2809	375	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	750	2810	375	For each additional invention to be examined (37 CFR 1.129(b))	
1801	750	2801	375	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	
Other fee (specify) Request for Correction of Inventorship					130.00
*Reduced by Basic Filing Fee Paid					
SUBTOTAL (3)					(\$130.00)

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## SUBMITTED BY

Name (Print/Type) Duane C. Basch  
Registration No. 34,545  
Telephone 585-899-3970  
Signature [Signature]  
Date 8/5/03

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